

Attorneys for Plaintiffs

1800 SOUTH MAPLE STREET, LLC, a)
California Limited Liability Company;)
RALPH J. GIANNELLA, an individual;)
GIANNELLA PROPERTIES, INC., a)
California Corporation; WILLIAM G.)
Ayyad, an individual; WILLIAM G.)
Ayyad, INC., a California Corporation; and)
PREMIER COMMUNITIES, LLC, a)
California Limited Liability Company.)

Plaintiffs,

v.

ALLIED PROPERTY AND CASUALTY)
INSURANCE COMPANY, an Iowa)
Corporation; AMCO INSURANCE)
COMPANY, an Iowa Corporation;)
NATIONWIDE MUTUAL INSURANCE)
COMPANY, an Ohio Corporation, and DOES)
1 through 100, inclusive,)

Defendants.)

CASE NO. 07-CV-2030

**DECLARATION OF C. BRANT
NOZISKA IN SUPPORT OF
PLAINTIFFS' REPLY TO
DEFENDANT'S OPPOSITION TO
PLAINTIFFS' EX PARTE MOTION FOR
A STAY OF THIS MATTER PENDING
RESOLUTION OF PLAINTIFFS'
MOTION TO AMEND THEIR
COMPLAINT**

Magistrate Judge: Hon. Nita L. Stormes
Room: 1118

Action Filed: September 10, 2007
Trial Date: TBA

1. I am an attorney with the law firm of Rockwood & Noziska, LLP and an attorney of record for Plaintiffs 1800 SOUTH MAPLE STREET, LLC., RALPH J. GIANNELLA,

1 GIANNELLA PROPERTIES, INC., WILLIAM G. AYYAD, WILLIAM G. AYYAD, INC.,
2 and PREMIER COMMUNITIES, LLC I have personal knowledge of the facts attested to
3 herein, and if called as a witness, I am competent to testify under oath thereto.

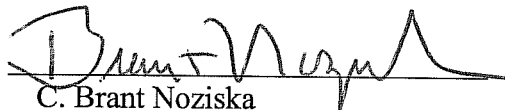
4 2. Attached to this declaration as Exhibit "A," is a true and correct copy of the
5 "Order Following Early Neutral Evaluation Conference, Setting Rule 26 Compliance, and
6 Notice of Telephonic Case Management Conference," dated January 10, 2008.

7 3. Attached to this declaration as Exhibit "B," is a true and correct copy of the letter
8 from Neal H. Rockwood to Howard M. Garfield, dated January 25, 2008.

9 4. Attached to this declaration as Exhibit "C," is a true and correct copy of the letter
10 from Neal H. Rockwood to Howard M. Garfield, dated January 30, 2008.

11 5. Attached to this declaration as Exhibit "D," is a true and correct copy of the letter
12 from Howard M. Garfield to Neal H. Rockwood, dated January 30, 2008.

13 I declare under penalty of perjury and the laws of the State of California, that the
14 foregoing is true and correct and that this declaration is executed on January 31st, 2008, at San
15 Diego, California.

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17 
18 C. Brant Noziska